

APR 2 2021

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

US DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA

v.

SIMONE CHERELLE MCILLWAIN

a/k/a "Mone"

) DOCKET NO.: 3:21-cr-97-FDW
)
) FACTUAL BASIS
)
)
)
)
)

NOW COMES the United States of America, by and through William T. Stetzer, Acting United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

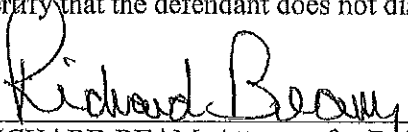
1. From on or about December 2, 2019 through on or about December 25, 2019, in Mecklenburg County, within the Western District of North Carolina and elsewhere, **SIMONE CHERELLE MCILLWAIN**, a/k/a "Mone," did knowingly recruit, entice, harbor, transport, provide, obtain, and maintain by any means Child Victim.
2. Over the course of that time, **MCILLWAIN** had a reasonable opportunity to observe Child Victim and knew or recklessly disregarded that Child Victim was under the age of 18 years old and knew and recklessly disregarded that Child Victim would be caused to engage in a commercial sex act.
3. **MCILLWAIN's** offense was in or affected interstate commerce.

WILLIAM T. STETZER
ACTING UNITED STATES ATTORNEY


ERIK LINDAHL
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.


RICHARD BEAM, Attorney for Defendant

DATED: 3/31/21